EXHIBIT 32

Page 1	Page 2
IN THE UNITED STATES DISTRICT COURT	1 APPEARANCES:
for the MIDDLE DISTRICT of PENNSYLVANIA	2
ELLEN GERHART, ELISE GERHART, :	3 WILLIAMS CEDAR LLC BY: CHRISTOPHER MARKOS, ESQUIRE
ALEX LOTORTO and ELIZABETH : GLUNT :	4 1 South Broad Street, Suite 1510 Philadelphia, Pennsylvania 19107
Plaintiffs : NO. 17-1726-YK	5 (215) 557-0099
-VS- :	Cmarkos@williamscedar.com
: ENERGY TRANSFER PARTNERS, :	Representing the Plaintiffs
L.P., et al.	7 8
Defendants	LENGERT & RAIDERS LLC
***** THURSDAY, SEPTEMBER 2, 2021	9 BY: RICHARD A. RAIDERS, ESQUIRE 210 West Penn Avenue
*****	10 Robesonia, Pennsylvania 19551
Zoom Video Conferencing virtual remote	(484) 638-6538 11 Rich@raiderslaw.com
deposition of KURT MERRIWEATHER, taken pursuant to	12 Representing the Plaintiffs 13
notice, held in Durham, North Carolina on Thursday, September 2, 2021, beginning at 10:05 a.m., before	14 McNEES WALLACE & NURICK
Susan L. Singlar, Professional Court Reporter and Notary Public of the Commonwealth of Pennsylvania,	BY: KANDICE HULL, ESQUIRE 15 100 Pine Street
there being present.	Harrisburg, Pennsylvania 17101
Any reproduction of this transcript is	16 (717) 237-5452 Khull@mcneeslaw.com
prohibited without authorization by the certifying agency.	17
	Representing s Energy Transfer Partners, L.P., Sunoco Pipeline, L.P.,
	Sunoco Logistics, L.P.,
KAPLAN, LEAMAN AND WOLFE	20
Registered Professional Reporters	21 22
230 South Broad Street, Suite 1303 Philadelphia, PA 19102	23
(215) 922-7112	24
Page 3	Page 4
1 APPEARANCES (continued):	1 APPEARANCES (continued):
2 3 PA GENERAL ATTORNEY'S OFFICE	2
BY: JESSICA DAVIS, ESQUIRE	3 ZARWIN BAUM
4 Strawberry Square, 15th Floor Civil Division	BY: ANTHONY R. TARDOWSKI, ESQUIRE 4 One Commerce Square
5 Harrisburg, PA 17120	2005 Market Street, 16th Floor
(717) 783-6270 6 Jdavis@attrorneygeneral.gov	5 Philadelphia, PA 19103-3638
7 Representing Trooper Dunsmore and Trooper	(267) 765-9621 6 Artardowskio@zarwin.com
Ehgartner 8	6 Artardowskio@zarwin.com 7 Representing Kurt Merriweather
9 LAVERY LAW	8
10 BY: ELIZABETH KRAMER, ESQUIRE	9
225 Market Street 11 Harrisburg, Pennsylvania 17108	10 ALSO PRESENT:
(717) 233-6633	11 NICK JOHNSON
12 Ekramer@laverylaw.com 13 Representing TigerSwan, LLC	12
14	13
15 SIANA, BELLWOAR & MCANDREW, LLP BY: CHRISTOPHER P. GERBER, ESQUIRE	14
16 941 Pottstown Pike Suite 200	15 16
Chester Springs, Pennsylvania 19425 17 (610) 321-5500	17
Cpgerber@sianalaw.com	18
Representing Nick Johnson	19
19 20	20 21
21	22
22 23	23
24	24

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1	INDEX	1	THE COURT REPORTER: Before I swear in
2	WITNESS PAGE	2	the witness, I will ask counsel to stipulate
3	WIINESS FAGE	3	on the record that due to the current national
	KURT MERRIWEATHER	4	emergency pandemic, the court reporter may
4	(Witness sworn.) 5	5	swear in the deponent, even though she is not
5	,	6	in the physical presence of the deponent, and
6 7	EXAMINATION by MR. MARKOS 7 EXAMINATION by MS. KRAMER 39	7	that there is no objection to that at this
8	EXAMINATION by MS. HULL 39	8	time, nor will there be an objection to it at
9		9	a future date.
10	EXHIBITS	10	MR. MARKOS: I can.
11		11	MS. KRAMER: Yes, I can.
12	NUMBER DESCRIPTION PAGE	12	MR. GERBER: Yes.
13	NUMBER DESCRITION TAGE	13	MR. TARDOWSKI: Agreed.
	Cedar Ford 1-29 Collective documents 27	14	MS. HULL: Yes. That's fine.
14 15	* * * *	15	MS. DAVIS: That's fine.
16	(Whereupon, the above-captioned exhibit	16	MR. RAIDERS: I'm co-counsel. I accept
17	was not attached to the transcript per	17	Mr. Markos' stipulation, yes.
17 18	counsel.) *****	18	THE COURT REPORTER: And, counsel, can
19		19	you represent that to the best of your
20	REQUESTS FOR PRODUCTION:	20	knowledge and belief, the witness appearing
21		21	today via Zoom is, indeed, Kurt Merriweather?
	(NONE)	22	MR. TARDOWSKI: I can.
22 23		23	THE COURT REPORTER: Usual
24		24	stipulations?
	Page 7		Page 8
1	MR. TARDOWSKI: That's fine with me.	1	You are here today as a non-party
2	MR. MARKOS: Yes.	2	witness to give a deposition in this case. A
3	MS. DAVIS: Yes.	3	deposition, maybe you know, I'd like to go through
4	MS. HULL: Yes.	4	these guidelines anyway, is like a conversation but
5	MS. KRAMER: Yes.	5	different. I'm going to ask you questions and
6	MR. GERBER: Yes.	6	hopefully you will have answers for them. However,
7	****	7	it's not a memory test. So your answer I don't know
	(T. ' 11 11 . 1		
8	(It is agreed by and between counsel	8	or you don't recall whatever you say is a perfectly
8 9	that reading, signing, sealing, filing, and	8 9	or you don't recall whatever you say is a perfectly acceptable answer today.
O			
9	that reading, signing, sealing, filing, and	9	acceptable answer today.
9	that reading, signing, sealing, filing, and certification are hereby waived and all	9	acceptable answer today. Because of the format, and especially
9 10 11	that reading, signing, sealing, filing, and certification are hereby waived and all objections, except as to the form of the	9 10 11	acceptable answer today. Because of the format, and especially because of this digital format, it's important that
9 10 11 12	that reading, signing, sealing, filing, and certification are hereby waived and all objections, except as to the form of the questions, are reserved until the time of	9 10 11 12	acceptable answer today. Because of the format, and especially because of this digital format, it's important that you let me finish asking a question, even if you're
9 10 11 12 13	that reading, signing, sealing, filing, and certification are hereby waived and all objections, except as to the form of the questions, are reserved until the time of trial.)	9 10 11 12 13	acceptable answer today. Because of the format, and especially because of this digital format, it's important that you let me finish asking a question, even if you're anticipating what I'm going to say next, and I will
9 10 11 12 13 14	that reading, signing, sealing, filing, and certification are hereby waived and all objections, except as to the form of the questions, are reserved until the time of trial.) *****	9 10 11 12 13 14	acceptable answer today. Because of the format, and especially because of this digital format, it's important that you let me finish asking a question, even if you're anticipating what I'm going to say next, and I will extend the same courtesy to you as you answer.
9 10 11 12 13 14	that reading, signing, sealing, filing, and certification are hereby waived and all objections, except as to the form of the questions, are reserved until the time of trial.) **** KURT MERRIWEATHER, having been duly	9 10 11 12 13 14 15	acceptable answer today. Because of the format, and especially because of this digital format, it's important that you let me finish asking a question, even if you're anticipating what I'm going to say next, and I will extend the same courtesy to you as you answer. It's also important because the only
9 10 11 12 13 14 15	that reading, signing, sealing, filing, and certification are hereby waived and all objections, except as to the form of the questions, are reserved until the time of trial.) **** KURT MERRIWEATHER, having been duly sworn, was examined and testified as follows:	9 10 11 12 13 14 15	acceptable answer today. Because of the format, and especially because of this digital format, it's important that you let me finish asking a question, even if you're anticipating what I'm going to say next, and I will extend the same courtesy to you as you answer. It's also important because the only record of this deposition will be a written
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9 10 11 12 13 14 15 16 17 18 19 20 21 22	that reading, signing, sealing, filing, and certification are hereby waived and all objections, except as to the form of the questions, are reserved until the time of trial.) ***** KURT MERRIWEATHER, having been duly sworn, was examined and testified as follows: ***** EXAMINATION ***** BY MR. MARKOS: Q. Mr. Merriweather, thank you very much for being here today. I'm sure you are very busy and	9 10 11 12 13 14 15 16 17 18 19 20 21 22	acceptable answer today. Because of the format, and especially because of this digital format, it's important that you let me finish asking a question, even if you're anticipating what I'm going to say next, and I will extend the same courtesy to you as you answer. It's also important because the only record of this deposition will be a written transcript that while it's natural to nod your head like you were just doing, you must verbalize your answer or, otherwise, there's no record of your answer. If you need to take a break, that's perfectly fine, unless I have just asked you a

1 we're going to be very long and hopefully you won't need to. 2		Page 9		Page 10
2 A. Yes. It's a single member LLC. 3 Do those instructions make sense to 4 you? 5 Do you have any questions about them? 6 A. Yes. That makes sense. No. I don't 7 have any questions. 8 Q. Just so you're aware, I represent the 9 plaintiff in this case. There are a number 10 defendants in this case. There are a number 11 After I finish asking you questions, they may have 12 questions to ask you, as well. I have no control 13 over that. 14 Have you ever given a deposition 15 before, Mr. Merriweather? 16 A. No. 17 Q. Ever been a part of a lawsuit before, a 18 plaintiff or a defendant? 19 A. No. 20 Q. Has Cedar Fork Partners deposition 21 A. No. 22 Q. Has Cedar Fork Partners form? 23 Q. And it's still a going entity today? 24 Partners? 25 A. No. 26 Q. Are you the only member of Cedar Fork 26 Partners? 27 A. No. 28 Q. Are you the only member of Cedar Fork 29 Partners? 29 A. No. 20 Q. Are you the only member of Cedar Fork 24 Partners? 20 A. No. 21 A. No. He was — be had been working with a different company at that point and he — we at talked. It was an introductory meeting around some business development opportunities. 29 Q. Did it ose opportunities pertain to anything related to 20 Part generation to anything related to 21 TigerSwan? 22 A. No. 23 Q. To any entity under the Sunoco 24 D. Did it pertain to anything related to 25 TigerSwan? 26 TigerSwan? 27 A. No. 28 Q. I don't know who made the first 29 TigerSwan, Robert Rice and that he was to times 29 TigerSwan, Robert Rice and that he was the company of 2016. 20 Undown those we made that he had at TigerSwan. 21 A. I men Robert Rice are in the Nick Johnson. 22 Q. When did you one into contact with 23 TigerSwan and the todd we about a need that he had at TigerSwan. 24 A. No. 25 Partners — 26 A. No. 27 A. No. 28 Q. Do you throw who made the first 29 C. When did you one into contact with 29 TigerSwan and the todd we about a need that he had at TigerSwan. 29 C. Can you tell me between those two times 20 C. Can you tell me between twose times 21 C. Can you tell me betwee	1	we're going to be very long and hopefully you won't	1	Is that the correct term?
A you? Do you have any questions about them? A. Yes. That makes sense. No. I don't have any questions. Q. Just so you're aware, I represent the plaintiff in this case. There are a number defendants in existence at that time? A. No. There is a fix still a going entity today? A. No. There is a fix still a going entity today? A. No. There is a fix still a going entity today? A. No. There is a fix still a going entity today? A. No. There is a fix still a	2		2	A. Yes. It's a single member LLC.
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6 A. Yes. That makes sense. No. I don't 7 have any questions. 8 Q. Just so you're aware, I represent the 9 plaintiff in this case. There are a number 10 defendants in this case. There are a number 11 After I finish asking you questions, they may have 12 questions to ask you, as well. I have no control 13 over that. 14 Have you ever given a deposition 15 before, Mr. Merriweather? 16 A. No. 17 Q. Ever been a part of a lawsuit before, a 18 plaintiff or a defendant? 18 plaintiff or a defendant? 19 A. No. 20 Q. Has Cedar Fork Partners form? 21 to a lawsuit before? 22 A. No. 23 Q. Are you the only member of Cedar Fork 24 Partners? Page 11 1 A. No. He was — he had been working with 2 a different company at that point and he—we 3 talked. It was an introductory meeting around some business development opportunities. 5 Q. Did those opportunities pertain to any bipeline infrastructure development? 7 A. No. 8 Q. Did it pertain to anything related to 9 TigerSwan? 10 A. No. 11 Q. Was add you meet Robert Rice in earlier 2016 did you enter into a contract with 11 TigerSwan? 12 A. No. 13 Q. Was server bened that was the company that Nick Johnson in the time you met Robert Rice in earlier 2016 did you enter into a contract with 19 A. No. 10 Q. Was after I met Nick Johnson. 11 Q. When did you meet Robert Rice and 12 through Robert Rice. 12 Q. When did you meet Robert Rice? 13 A. No. 14 Q. Was he working for ReverbNation at the time you met him? 15 Page 12 16 A. No. 17 Q. Earlier meaning before you met Nick 18 Johnson happened independent of each other? 19 A. No. 10 A. No. 11 Q. When did you meet Robert Rice in earlier 2016 did you enter into a contract with 11 Q. When did you meet Robert Rice in earlier 2016 did you enter into a contract with 15 TigerSwan? 16 A. No. 17 Q. Did it pertain to anything related to 18 Q. You said you were doing —I think you show that that company was when you met Robert Rice and Nick Johnson. 15 Q. When did you meet Robert Rice and Nick Johnson. 16 Q. When did you meet Robert Rice and Nick Johnson.	4	you?	4	A. I met Nick Johnson when I was doing
6 A. Yes. That makes sense. No. I don't 7 have any questions. 8 Q. Just so you're aware, I represent the 9 plaintiff in this case. There are a number 10 defendants in this case. There are a number 11 After I finish asking you questions, they may have 12 questions to ask you, as well. I have no control 13 over that. 14 Have you ever given a deposition 15 before, Mr. Merriweather? 16 A. No. 17 Q. Ever been a part of a lawsuit before, a 18 plaintiff or a defendant? 19 A. No. 20 Q. Has Cedar Fork Partners form? 21 defendant? 22 A. In July of 2016. 23 defendant? 24 plaintiff or a defendant? 25 defendant? 26 A. No. 27 Q. Ever been a part of a lawsuit before, a 28 plaintiff or a defendant? 29 A. No. 20 Q. Has Cedar Fork Partners ever been party 20 to a lawsuit before? 21 to a lawsuit before? 22 A. No. 23 Q. Are you the only member of Cedar Fork 24 Partners? 25 A. No. 26 Q. Did those opportunities. 27 Did those opportunities pertain to any binsienses development opportunities. 28 Q. Did it pertain to anything related to 29 TigerSwan? 20 A. No. 31 A. No. 41 A. No. 42 Char Fork Partners in existence at that time? 42 that time? 43 A. What company was when you met Nick Johnson? 44 Davis and the vas defendant? 45 A. No. 46 Q. Was and you were doing — I think you said— 47 Very said you were doing — I think you said— 48 Q. You said you were doing — I think you said— 49 ReverbNation, and that was the company that was working for ReverbNation at the time you met him? 40 A. No. 41 March of 2016. 42 Partners? 41 A. No. He was — he had been working with a different company at that point and he— we business development opportunities. 51 Q. Did it pertain to anything related to 52 TigerSwan? 53 A. Time Robert Rice earlier in 2016, so 1 think March of 2016. 54 A. No. 55 Q. Did those opportunities pertain to any thing related to 56 Johnson? 57 A. No. 58 Q. Did it pertain to anything related to 59 TigerSwan? 50 A. No. 51 Q. Earlier meaning before you met Nick Johnson huppened independent of each other? 50 A. No. 51 Q. How long after yo	5	Do you have any questions about them?	5	work at another company and we had a conversation
8 Q. Just so you're aware, I represent the 9 plaintiff in this case. There are an anmber 10 defendants in this case. Their attorneys are here. 11 After I finish asking you questions, they may have 12 questions to ask you, as well. I have no control 13 over that. 14 Have you ever given a deposition 15 before, Mr. Merriweather? 16 A. No. 17 Q. Ever been a part of a lawsuit before, a 18 plaintiff or a defendant? 18 plaintiff or a defendant? 19 A. No. 20 Q. Has Cedar Fork Partners form? 21 A. No. 22 Q. Are you the only member of Cedar Fork 22 A. No. 23 Q. Are you the only member of Cedar Fork 24 Partners? Page 11 1 A. No. He was — he had been working with 2 a different company at that point and he — we 3 talked. It was an introductory meeting around some 4 business development opportunities. 4 D. Did those opportunities pertain to any 5 pipeline infrastructure development? 7 A. No. 9 Did those opportunities pertain to any 6 pipeline infrastructure development? 7 A. No. 9 Did those opportunities pertain to any 6 pipeline infrastructure development? 9 TigerSwan? 10 A. No. 11 Q. Was Cedar Fork Partners in existence at that time? A. No. 12 Q. When did Cedar Fork Partners form? 14 A. Yes. 9 Do you know what that company was when you met Nick Johnson? 16 Q. You said you were doing — I think you said — 18 Q. You said you were doing — I think you said — 20 Was he working for ReverbNation at the time you met him? Page 11 1 A. No. He was — he had been working with a different company at that point and he — we 3 talked. It was an introductory meeting around some business development opportunities. 4 D. Did those opportunities. 5 Q. Did those opportunities. 6 Q. Did those opportunities. 7 Q. Did those opportunities. 8 Q. You said you were Robert Rice. 9 TigerSwan? 10 A. No. 11 Q. Did it pertain to anything related to 11 Q. How long after you met Robert Rice in 12 Energy Transfer Partners — 13 A. No. 14 Q. For any entity under the Sunoco 15 Under the project manager for 16 A. No. 17 Q. I don't know who made the first 17 C.	6		6	
8 Q. Just so you're aware, I represent the 9 plaintiff in this case. Their attorneys are here, 10 defendants in this case. Their attorneys are here, 11 After I finish asking you questions, they may have 12 questions to ask you, as well. I have no control 13 over that. 14 Have you ever given a deposition 15 before, Mr. Merriweather? 16 A. No. 17 Q. Ever been a part of a lawsuit before, a 18 plaintiff or a defendant? 19 A. No. 10 Q. When did Cedar Fork Partners form? 11 A. No. 12 Q. Do you know what that company was when you met Nick Johnson? 17 A. No. 18 plaintiff or a defendant? 19 A. No. 20 Q. Has Cedar Fork Partners ever been party 21 to a lawsuit before? 21 Lawsuit before? 22 A. No. 23 Q. Are you the only member of Cedar Fork 24 Partners? Page 11 1 A. No. He was — he had been working with a different company at that point and he — we talked. It was an introductory meeting around some business development opportunities. 4 business development opportunities. 5 Q. Did those opportunities pertain to any pipeline infrastructure development? 7 A. No. 8 Q. Did those opportunities pertain to any pipeline infrastructure development? 10 A. No. 11 Q. When did you meet Robert Rice? 2 A. I met Robert Rice earlier in 2016, so 1 think March of 2016. 2 Earlier meaning before you met Nick Johnson. 2 Q. Earlier meaning before you met Nick Johnson. 3 A. No. 4 It was after I met Nick Johnson. 5 Q. Earlier meaning before you met Nick Johnson. 6 Q. Did those opportunities. 7 A. No. 8 Q. Did those opportunities. 9 TigerSwan? 10 A. No. 11 Q. Did tipertain to anything related to 12 Energy Transfer Partners — 13 A. No. 14 Q. — or any entity under the Sunoco 15 Lawsund development opportunities. 16 A. No. 17 Q. I don't know who made the first 20 C. For you tell me between those two times 21 A. Roughly — so it was spring of 2016. 22 TigerSwan? 23 C. A. The conversations I had with Robert Rice? 24 C. Those two meetings with Robert Rice in TigerSwan to other ventures we were working 25 On. We were doing often things that were not relat	7	have any questions.	7	
9 plaintiff in this case. There are a number defendants in this case. There are a number 9 10 A. No.	8	Q. Just so you're aware, I represent the	8	
11 After I finish asking you questions, they may have questions to ask you, as well. I have no control over that. 13 over that. 14 Have you ever given a deposition	9	plaintiff in this case. There are a number	9	that time?
12 questions to ask you, as well. I have no control over that. 14	10	defendants in this case. Their attorneys are here.	10	A. No.
13 Over that. Have you ever given a deposition 14 A. Yes. Q. Do you know what that company was when you met Nick Johnson? A. No. 16 Q. Ever been a part of a lawsuit before, a plaintiff or a defendant? 18 plaintiff or a defendant? 19 A. No. 20 Q. Has Cedar Fork Partners ever been party to a lawsuit before? 21 to a lawsuit before? 22 A. No. 23 Q. Are you the only member of Cedar Fork 24 Partners? Page 11 A. No. He was — he had been working with a different company at that point and he — we talked. It was an introductory meeting around some business development opportunities. Page 12 A. No. 3 talked. It was an introductory meeting around some business development deportunities. 4 D. Did those opportunities pertain to any pipeline infrastructure development? A. No. 3 Q. Did those opportunities pertain to any pipeline infrastructure development? 4 A. No. 4 Q. Did those opportunities pertain to any pipeline infrastructure development? 5 Q. Did those opportunities pertain to any pipeline infrastructure development? 6 D. Did it pertain to anything related to 12 Energy Transfer Partners — 12 Can you tell me between those two times what conversations; if any, you had with Robert Rice? 18 Contact. 19 How did you come into contact with 19 How did you come into contact with 20 TigerSwan at that point. 20 Con you tell me between those two times what conversations I day with Robert Rice? 21 A. I met the project manager for 11 TigerSwan before November 2016? 22 TigerSwan, Robert Rice, doing some other activities and he told me about a need that he had at TigerSwan. 23 Do you kned Nikt Johnson? 24 Do you were doing of think you were think you were think you were think you working for Partners — 2 Con you tell me between those two times what conversations I had with Robert Rice were related to other ventures we were working on. We were doing other things that were not relate	11	After I finish asking you questions, they may have	11	Q. When did Cedar Fork Partners form?
14 Have you ever given a deposition 15 before, Mr. Merriweather? 16 A. No. 17 Q. Ever been a part of a lawsuit before, a 18 plaintiff or a defendant? 19 A. No. 20 Q. Has Cedar Fork Partners ever been party 21 to a lawsuit before? 22 A. No. 23 Q. Are you the only member of Cedar Fork 24 Partners? Page 11 A. No. He was be had been working with 25 a different company at that point and he we 3 talked. It was an introductory meeting around some 4 business development opportunities 5 Q. Did those opportunities pertain to any 6 pipeline infrastructure development? 7 A. No. 8 Q. Did it pertain to anything related to 9 TigerSwan? 10 A. No. 11 Q. Did it pertain to anything related to 12 Energy Transfer Partners - 13 A. No. 14 Q or any entity under the Sunoco 15 TigerSwan? 16 How did you come into contact with 19 How did you come into contact with 20 TigerSwan? 21 A. Right. I was previously employed by 22 ReverbNation, and that was the company that I was working for when I met Nick Johnson. 24 business development application of time you met him? Page 11 Page 12 Page 11 Page 12 Page 12 Page 12 Through Robert Rice. 2 Q. When did you meet Robert Rice? 3 A. I met Robert Rice. 3 A. I met Robert Rice. 4 I think March of 2016. 5 Q. Earlier meaning before you met Nick Johnson? 7 A. No. 8 Q. Did it pertain to anything related to 10 A. No. 11 Q. Did it pertain to anything related to 11 Q. Did it pertain to anything related to 12 Energy Transfer Partners - 13 A. No. 14 Q or any entity under the Sunoco 15 Untherla? 16 A. No. 17 Q. I don't know who made the first 18 contact. 19 How did you come into contact with 19 How did you come into contact with 20 TigerSwan? 21 A. I met the project manager for 22 TigerSwan? 23 A. The conversations I had with Robert Rice? 24 TigerSwan before November 2016? 25 Person representing TigerSwan before November 2016? 26 Person representing TigerSwan before November 2016?	12	questions to ask you, as well. I have no control	12	A. In July of 2016.
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				Q. There you in contact with any other
	22		2.3	
	22 23	and he told me about a need that he had at TigerSwan.		person representing TigerSwan before November 2016?

	Page 13		Page 14
1	Q. I don't know if you know, this case is	1	A. Yes.
2	maybe limited in this sense. It has to do with a	2	Q. So between that first meeting in
3	family in south central Pennsylvania. It doesn't	3	November of 2016, did you have subsequent meetings
4	have to do with anybody in Louisiana or South Dakota	4	with him?
5	or Iowa.	5	A. No.
6	But when you say "other things," are	6	Q. And you didn't have any second meeting
7	you limiting your answer to outside of work in	7	with Nick Johnson between when you first met him and
8	Pennsylvania or outside of things having to do with	8	when you entered into a contract with TigerSwan?
9	pipelines or can you narrow your answer in that way	9	A. Well, actually, now that you I do
10	for me?	10	recall one conversation we were having about
11	A. The conversations we were having were	11	opportunities to work together. At that point I had
12	about a venture related to virtual reality that had	12	started Cedar Fork Partners and we were thinking
13	nothing to do with anything connected with the thing	13	about other social media opportunities. So I do
14	that's relevant to what we're talking about today.	14	remember conversations, now that you mention that, in
15	So it was a virtual reality startup. That's what we	15	between.
16	were talking about in March and in November.	16	Q. I guess it might be helpful to know.
17	Q. I want to ask you about that but I'm	17	Can you tell me what your business is,
18	not going to.	18	Cedar Fork Partners?
19	Between March and November of 2016,	19	A. Cedar Fork Partners is a consulting
20	besides when you met Nick Johnson, can you tell me,	20	business focusing on helping organizations with
21	did you meet with him subsequently?	21	digital media and digital marketing and social media
22	Does that make sense?	22	communications.
23	A. Did I meet with him subsequently?	23	Q. Does that mean you're helping them
24	Q. You met him?	24	reach wider audiences?
	Page 15		Page 16
1	Page 15 A. Yes.	1	Page 16 Q. How long did the contract last for?
1 2	_	1 2	
	A. Yes.		Q. How long did the contract last for?
2	A. Yes.Q. Does it also include sort of control of	2	Q. How long did the contract last for?A. From November 2016 until August 2017.
2	A. Yes. Q. Does it also include sort of control of the message, like, a public relations kind of angle?	2 3	Q. How long did the contract last for?A. From November 2016 until August 2017.Q. Was it a month-to-month contract?
2 3 4	 A. Yes. Q. Does it also include sort of control of the message, like, a public relations kind of angle? A. No. Q. Was there a point between when you first met Robert Rice, and I'll limit it to the end 	2 3 4	Q. How long did the contract last for?A. From November 2016 until August 2017.Q. Was it a month-to-month contract?A. Yes.
2 3 4 5	 A. Yes. Q. Does it also include sort of control of the message, like, a public relations kind of angle? A. No. Q. Was there a point between when you first met Robert Rice, and I'll limit it to the end of 2017, that you met with anybody else from 	2 3 4 5 6 7	 Q. How long did the contract last for? A. From November 2016 until August 2017. Q. Was it a month-to-month contract? A. Yes. Q. Was there a reason it ended in August of '17? A. I don't know. They decided not to
2 3 4 5 6 7 8	A. Yes. Q. Does it also include sort of control of the message, like, a public relations kind of angle? A. No. Q. Was there a point between when you first met Robert Rice, and I'll limit it to the end of 2017, that you met with anybody else from TigerSwan?	2 3 4 5 6 7 8	 Q. How long did the contract last for? A. From November 2016 until August 2017. Q. Was it a month-to-month contract? A. Yes. Q. Was there a reason it ended in August of '17? A. I don't know. They decided not to continue. I don't know why.
2 3 4 5 6 7	 A. Yes. Q. Does it also include sort of control of the message, like, a public relations kind of angle? A. No. Q. Was there a point between when you first met Robert Rice, and I'll limit it to the end of 2017, that you met with anybody else from TigerSwan? A. Yes. 	2 3 4 5 6 7	 Q. How long did the contract last for? A. From November 2016 until August 2017. Q. Was it a month-to-month contract? A. Yes. Q. Was there a reason it ended in August of '17? A. I don't know. They decided not to continue. I don't know why. Q. When you entered into the contract,
2 3 4 5 6 7 8 9	A. Yes. Q. Does it also include sort of control of the message, like, a public relations kind of angle? A. No. Q. Was there a point between when you first met Robert Rice, and I'll limit it to the end of 2017, that you met with anybody else from TigerSwan? A. Yes. Q. Do you remember who those people are?	2 3 4 5 6 7 8 9	 Q. How long did the contract last for? A. From November 2016 until August 2017. Q. Was it a month-to-month contract? A. Yes. Q. Was there a reason it ended in August of '17? A. I don't know. They decided not to continue. I don't know why. Q. When you entered into the contract, what was your understanding of the purpose of the
2 3 4 5 6 7 8 9 10	A. Yes. Q. Does it also include sort of control of the message, like, a public relations kind of angle? A. No. Q. Was there a point between when you first met Robert Rice, and I'll limit it to the end of 2017, that you met with anybody else from TigerSwan? A. Yes. Q. Do you remember who those people are? A. I remember meeting with Sean Sweeney	2 3 4 5 6 7 8 9 10	 Q. How long did the contract last for? A. From November 2016 until August 2017. Q. Was it a month-to-month contract? A. Yes. Q. Was there a reason it ended in August of '17? A. I don't know. They decided not to continue. I don't know why. Q. When you entered into the contract, what was your understanding of the purpose of the work that TigerSwan was seeking from you?
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2 3 4 5 6 7 8 9 10 11 12	A. Yes. Q. Does it also include sort of control of the message, like, a public relations kind of angle? A. No. Q. Was there a point between when you first met Robert Rice, and I'll limit it to the end of 2017, that you met with anybody else from TigerSwan? A. Yes. Q. Do you remember who those people are? A. I remember meeting with Sean Sweeney and I met the CEO but didn't have a conversation with him.	2 3 4 5 6 7 8 9 10 11 12 13	 Q. How long did the contract last for? A. From November 2016 until August 2017. Q. Was it a month-to-month contract? A. Yes. Q. Was there a reason it ended in August of '17? A. I don't know. They decided not to continue. I don't know why. Q. When you entered into the contract, what was your understanding of the purpose of the work that TigerSwan was seeking from you? A. To do social media monitoring, as well as distribution of messages related to pipeline
2 3 4 5 6 7 8 9 10 11 12 13	A. Yes. Q. Does it also include sort of control of the message, like, a public relations kind of angle? A. No. Q. Was there a point between when you first met Robert Rice, and I'll limit it to the end of 2017, that you met with anybody else from TigerSwan? A. Yes. Q. Do you remember who those people are? A. I remember meeting with Sean Sweeney and I met the CEO but didn't have a conversation with him. Q. Do you remember his name at the time	2 3 4 5 6 7 8 9 10 11 12 13 14	 Q. How long did the contract last for? A. From November 2016 until August 2017. Q. Was it a month-to-month contract? A. Yes. Q. Was there a reason it ended in August of '17? A. I don't know. They decided not to continue. I don't know why. Q. When you entered into the contract, what was your understanding of the purpose of the work that TigerSwan was seeking from you? A. To do social media monitoring, as well as distribution of messages related to pipeline activities.
2 3 4 5 6 7 8 9 10 11 12 13 14 15	A. Yes. Q. Does it also include sort of control of the message, like, a public relations kind of angle? A. No. Q. Was there a point between when you first met Robert Rice, and I'll limit it to the end of 2017, that you met with anybody else from TigerSwan? A. Yes. Q. Do you remember who those people are? A. I remember meeting with Sean Sweeney and I met the CEO but didn't have a conversation with him. Q. Do you remember his name at the time because I think it's changed?	2 3 4 5 6 7 8 9 10 11 12 13 14	 Q. How long did the contract last for? A. From November 2016 until August 2017. Q. Was it a month-to-month contract? A. Yes. Q. Was there a reason it ended in August of '17? A. I don't know. They decided not to continue. I don't know why. Q. When you entered into the contract, what was your understanding of the purpose of the work that TigerSwan was seeking from you? A. To do social media monitoring, as well as distribution of messages related to pipeline activities. Q. Can you define what you mean when you
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	A. Yes. Q. Does it also include sort of control of the message, like, a public relations kind of angle? A. No. Q. Was there a point between when you first met Robert Rice, and I'll limit it to the end of 2017, that you met with anybody else from TigerSwan? A. Yes. Q. Do you remember who those people are? A. I remember meeting with Sean Sweeney and I met the CEO but didn't have a conversation with him. Q. Do you remember his name at the time because I think it's changed? A. Jim was his first name. I can't remember his last name.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	 Q. How long did the contract last for? A. From November 2016 until August 2017. Q. Was it a month-to-month contract? A. Yes. Q. Was there a reason it ended in August of '17? A. I don't know. They decided not to continue. I don't know why. Q. When you entered into the contract, what was your understanding of the purpose of the work that TigerSwan was seeking from you? A. To do social media monitoring, as well as distribution of messages related to pipeline activities. Q. Can you define what you mean when you say social media monitoring? A. Monitoring of activity on Twitter and
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	A. Yes. Q. Does it also include sort of control of the message, like, a public relations kind of angle? A. No. Q. Was there a point between when you first met Robert Rice, and I'll limit it to the end of 2017, that you met with anybody else from TigerSwan? A. Yes. Q. Do you remember who those people are? A. I remember meeting with Sean Sweeney and I met the CEO but didn't have a conversation with him. Q. Do you remember his name at the time because I think it's changed? A. Jim was his first name. I can't remember his last name. Q. Jim, you said?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	 Q. How long did the contract last for? A. From November 2016 until August 2017. Q. Was it a month-to-month contract? A. Yes. Q. Was there a reason it ended in August of '17? A. I don't know. They decided not to continue. I don't know why. Q. When you entered into the contract, what was your understanding of the purpose of the work that TigerSwan was seeking from you? A. To do social media monitoring, as well as distribution of messages related to pipeline activities. Q. Can you define what you mean when you say social media monitoring? A. Monitoring of activity on Twitter and Facebook, in particular.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	A. Yes. Q. Does it also include sort of control of the message, like, a public relations kind of angle? A. No. Q. Was there a point between when you first met Robert Rice, and I'll limit it to the end of 2017, that you met with anybody else from TigerSwan? A. Yes. Q. Do you remember who those people are? A. I remember meeting with Sean Sweeney and I met the CEO but didn't have a conversation with him. Q. Do you remember his name at the time because I think it's changed? A. Jim was his first name. I can't remember his last name. Q. Jim, you said? A. Yes.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	 Q. How long did the contract last for? A. From November 2016 until August 2017. Q. Was it a month-to-month contract? A. Yes. Q. Was there a reason it ended in August of '17? A. I don't know. They decided not to continue. I don't know why. Q. When you entered into the contract, what was your understanding of the purpose of the work that TigerSwan was seeking from you? A. To do social media monitoring, as well as distribution of messages related to pipeline activities. Q. Can you define what you mean when you say social media monitoring? A. Monitoring of activity on Twitter and Facebook, in particular. Q. For any particular purpose?
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	A. Yes. Q. Does it also include sort of control of the message, like, a public relations kind of angle? A. No. Q. Was there a point between when you first met Robert Rice, and I'll limit it to the end of 2017, that you met with anybody else from TigerSwan? A. Yes. Q. Do you remember who those people are? A. I remember meeting with Sean Sweeney and I met the CEO but didn't have a conversation with him. Q. Do you remember his name at the time because I think it's changed? A. Jim was his first name. I can't remember his last name. Q. Jim, you said? A. Yes. Q. I want to talk about we've been saying the contract you had with TigerSwan. Was it just one contract?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	 Q. How long did the contract last for? A. From November 2016 until August 2017. Q. Was it a month-to-month contract? A. Yes. Q. Was there a reason it ended in August of '17? A. I don't know. They decided not to continue. I don't know why. Q. When you entered into the contract, what was your understanding of the purpose of the work that TigerSwan was seeking from you? A. To do social media monitoring, as well as distribution of messages related to pipeline activities. Q. Can you define what you mean when you say social media monitoring? A. Monitoring of activity on Twitter and Facebook, in particular. Q. For any particular purpose? A. For communications that were related to the pipeline in the area where TigerSwan was doing security.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	A. Yes. Q. Does it also include sort of control of the message, like, a public relations kind of angle? A. No. Q. Was there a point between when you first met Robert Rice, and I'll limit it to the end of 2017, that you met with anybody else from TigerSwan? A. Yes. Q. Do you remember who those people are? A. I remember meeting with Sean Sweeney and I met the CEO but didn't have a conversation with him. Q. Do you remember his name at the time because I think it's changed? A. Jim was his first name. I can't remember his last name. Q. Jim, you said? A. Yes. Q. I want to talk about we've been saying the contract you had with TigerSwan.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	 Q. How long did the contract last for? A. From November 2016 until August 2017. Q. Was it a month-to-month contract? A. Yes. Q. Was there a reason it ended in August of '17? A. I don't know. They decided not to continue. I don't know why. Q. When you entered into the contract, what was your understanding of the purpose of the work that TigerSwan was seeking from you? A. To do social media monitoring, as well as distribution of messages related to pipeline activities. Q. Can you define what you mean when you say social media monitoring? A. Monitoring of activity on Twitter and Facebook, in particular. Q. For any particular purpose? A. For communications that were related to the pipeline in the area where TigerSwan was doing

	Page 17		Page 18
1	development?	1	A. Could you repeat that? I'm sorry.
2	A. There were there were from what I	2	Q. Yeah. I'm just trying to clarify your
3	recall, the goal was to ensure that the full picture	3	previous answer.
4	of what was happening was being represented and that	4	Nick Johnson was the only person you
5	was that was the goal.	5	had hired to work for this contract, right? You're
6	Q. At some point in time you hired Nick	6	nodding your head.
7	Johnson, you, meaning Cedar Fork Partners, hired Nick	7	A. Yes. Yes. That's correct.
8	Johnson to do some work related to this contract that	8	Q. Were you or Kurt Merriweather or Cedar
9	Cedar Fork Partners had with TigerSwan; is that	9	Fork entity also doing the work that TigerSwan was
10	right?	10	seeking?
11	A. That's correct.	11	A. Could you define what doing the work
12	Q. Did you hire other people to do similar	12	is?
13	work for this contract?	13	Q. Actually monitoring social media, for
14	A. No.	14	example.
15	Q. Did you delegate to Nick Johnson then	15	A. I was not monitoring social media.
16	all of the work that was being done for TigerSwan?	16	That's what Nick was doing.
17	A. Yes.	17	Q. You said there was some content
18	Q. You, yourself, or Cedar Fork Partners,	18	creation, I think?
19	rather, is it fair to say was not performing the work	19	A. Yes. That's correct.
20	on behalf of TigerSwan?	20	Q. Messaging?
21	MR. TARDOWSKI: Object to the form.	21	Were you creating the messaging?
22	BY MR. MARKOS:	22	A. No.
23	Q. If you don't understand the question, I	23	Q. Did you direct the content of the
24	can try to rephrase it.	24	messaging that was done in furtherance of this
	Page 19		Page 20
1	contract?	1	specifically?
2	A. No.	2	A. Yes.
3	Q. When you entered into this contract,	3	Q. Did you have an understanding of the
4	when did you then bring Nick Johnson on board?	4	entities responsible for construction of the Dakota
5	A. Within two weeks of the beginning of	I -	. P: 1: 0
6		5	Access Pipeline?
ı	the contract.	6	A. No.
7	the contract. Q. What was Nick Johnson's relationship		-
		6	A. No.
7	Q. What was Nick Johnson's relationship	6 7	A. No.Q. Besides working for TigerSwan, did
7 8	Q. What was Nick Johnson's relationship vis-a-vis Cedar Fork Partners?	6 7 8	A. No. Q. Besides working for TigerSwan, did TigerSwan explain to you their interest or
7 8 9	Q. What was Nick Johnson's relationship vis-a-vis Cedar Fork Partners?A. He was an independent contractor.	6 7 8 9	A. No. Q. Besides working for TigerSwan, did TigerSwan explain to you their interest or involvement in the Dakota Access Pipeline?
7 8 9 10	 Q. What was Nick Johnson's relationship vis-a-vis Cedar Fork Partners? A. He was an independent contractor. Q. To the extent that you know, did Nick 	6 7 8 9	A. No. Q. Besides working for TigerSwan, did TigerSwan explain to you their interest or involvement in the Dakota Access Pipeline? A. They explained that they were
7 8 9 10 11	 Q. What was Nick Johnson's relationship vis-a-vis Cedar Fork Partners? A. He was an independent contractor. Q. To the extent that you know, did Nick Johnson have a working similar relationship with 	6 7 8 9 10 11	 A. No. Q. Besides working for TigerSwan, did TigerSwan explain to you their interest or involvement in the Dakota Access Pipeline? A. They explained that they were responsible for doing security.
7 8 9 10 11 12	 Q. What was Nick Johnson's relationship vis-a-vis Cedar Fork Partners? A. He was an independent contractor. Q. To the extent that you know, did Nick Johnson have a working similar relationship with TigerSwan? 	6 7 8 9 10 11 12	 A. No. Q. Besides working for TigerSwan, did TigerSwan explain to you their interest or involvement in the Dakota Access Pipeline? A. They explained that they were responsible for doing security. Q. Did they say who they were doing
7 8 9 10 11 12	 Q. What was Nick Johnson's relationship vis-a-vis Cedar Fork Partners? A. He was an independent contractor. Q. To the extent that you know, did Nick Johnson have a working similar relationship with TigerSwan? Is he also an independent contractor 	6 7 8 9 10 11 12 13	A. No. Q. Besides working for TigerSwan, did TigerSwan explain to you their interest or involvement in the Dakota Access Pipeline? A. They explained that they were responsible for doing security. Q. Did they say who they were doing security for?
7 8 9 10 11 12 13	 Q. What was Nick Johnson's relationship vis-a-vis Cedar Fork Partners? A. He was an independent contractor. Q. To the extent that you know, did Nick Johnson have a working similar relationship with TigerSwan? Is he also an independent contractor for TigerSwan? 	6 7 8 9 10 11 12 13 14	A. No. Q. Besides working for TigerSwan, did TigerSwan explain to you their interest or involvement in the Dakota Access Pipeline? A. They explained that they were responsible for doing security. Q. Did they say who they were doing security for? A. No.
7 8 9 10 11 12 13 14	Q. What was Nick Johnson's relationship vis-a-vis Cedar Fork Partners? A. He was an independent contractor. Q. To the extent that you know, did Nick Johnson have a working similar relationship with TigerSwan? Is he also an independent contractor for TigerSwan? A. I don't know.	6 7 8 9 10 11 12 13 14 15	A. No. Q. Besides working for TigerSwan, did TigerSwan explain to you their interest or involvement in the Dakota Access Pipeline? A. They explained that they were responsible for doing security. Q. Did they say who they were doing security for? A. No. Q. At any point in time that you were
7 8 9 10 11 12 13 14 15	Q. What was Nick Johnson's relationship vis-a-vis Cedar Fork Partners? A. He was an independent contractor. Q. To the extent that you know, did Nick Johnson have a working similar relationship with TigerSwan? Is he also an independent contractor for TigerSwan? A. I don't know. Q. When you brought Nick Johnson on board,	6 7 8 9 10 11 12 13 14 15	 A. No. Q. Besides working for TigerSwan, did TigerSwan explain to you their interest or involvement in the Dakota Access Pipeline? A. They explained that they were responsible for doing security. Q. Did they say who they were doing security for? A. No. Q. At any point in time that you were under contract with TigerSwan, was it made were
7 8 9 10 11 12 13 14 15 16	Q. What was Nick Johnson's relationship vis-a-vis Cedar Fork Partners? A. He was an independent contractor. Q. To the extent that you know, did Nick Johnson have a working similar relationship with TigerSwan? Is he also an independent contractor for TigerSwan? A. I don't know. Q. When you brought Nick Johnson on board, what did you tell him about the project? A. I told him about the goal of the	6 7 8 9 10 11 12 13 14 15 16	A. No. Q. Besides working for TigerSwan, did TigerSwan explain to you their interest or involvement in the Dakota Access Pipeline? A. They explained that they were responsible for doing security. Q. Did they say who they were doing security for? A. No. Q. At any point in time that you were under contract with TigerSwan, was it made were you made aware of any involvement with Energy
7 8 9 10 11 12 13 14 15 16 17	Q. What was Nick Johnson's relationship vis-a-vis Cedar Fork Partners? A. He was an independent contractor. Q. To the extent that you know, did Nick Johnson have a working similar relationship with TigerSwan? Is he also an independent contractor for TigerSwan? A. I don't know. Q. When you brought Nick Johnson on board, what did you tell him about the project?	6 7 8 9 10 11 12 13 14 15 16 17	A. No. Q. Besides working for TigerSwan, did TigerSwan explain to you their interest or involvement in the Dakota Access Pipeline? A. They explained that they were responsible for doing security. Q. Did they say who they were doing security for? A. No. Q. At any point in time that you were under contract with TigerSwan, was it made were you made aware of any involvement with Energy Transfer Partners, if that makes sense?
7 8 9 10 11 12 13 14 15 16 17 18	Q. What was Nick Johnson's relationship vis-a-vis Cedar Fork Partners? A. He was an independent contractor. Q. To the extent that you know, did Nick Johnson have a working similar relationship with TigerSwan? Is he also an independent contractor for TigerSwan? A. I don't know. Q. When you brought Nick Johnson on board, what did you tell him about the project? A. I told him about the goal of the project, which was to do social media monitoring, to	6 7 8 9 10 11 12 13 14 15 16 17 18	A. No. Q. Besides working for TigerSwan, did TigerSwan explain to you their interest or involvement in the Dakota Access Pipeline? A. They explained that they were responsible for doing security. Q. Did they say who they were doing security for? A. No. Q. At any point in time that you were under contract with TigerSwan, was it made were you made aware of any involvement with Energy Transfer Partners, if that makes sense? A. I wasn't made aware of the relationship until there were things in the media. So I didn't
7 8 9 10 11 12 13 14 15 16 17 18	Q. What was Nick Johnson's relationship vis-a-vis Cedar Fork Partners? A. He was an independent contractor. Q. To the extent that you know, did Nick Johnson have a working similar relationship with TigerSwan? Is he also an independent contractor for TigerSwan? A. I don't know. Q. When you brought Nick Johnson on board, what did you tell him about the project? A. I told him about the goal of the project, which was to do social media monitoring, to use social media channels to communicate messages in and around the activities that were focused on the	6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	A. No. Q. Besides working for TigerSwan, did TigerSwan explain to you their interest or involvement in the Dakota Access Pipeline? A. They explained that they were responsible for doing security. Q. Did they say who they were doing security for? A. No. Q. At any point in time that you were under contract with TigerSwan, was it made were you made aware of any involvement with Energy Transfer Partners, if that makes sense? A. I wasn't made aware of the relationship
7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Q. What was Nick Johnson's relationship vis-a-vis Cedar Fork Partners? A. He was an independent contractor. Q. To the extent that you know, did Nick Johnson have a working similar relationship with TigerSwan? Is he also an independent contractor for TigerSwan? A. I don't know. Q. When you brought Nick Johnson on board, what did you tell him about the project? A. I told him about the goal of the project, which was to do social media monitoring, to use social media channels to communicate messages in	6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	A. No. Q. Besides working for TigerSwan, did TigerSwan explain to you their interest or involvement in the Dakota Access Pipeline? A. They explained that they were responsible for doing security. Q. Did they say who they were doing security for? A. No. Q. At any point in time that you were under contract with TigerSwan, was it made were you made aware of any involvement with Energy Transfer Partners, if that makes sense? A. I wasn't made aware of the relationship until there were things in the media. So I didn't know prior to things that were portrayed in the media.
7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Q. What was Nick Johnson's relationship vis-a-vis Cedar Fork Partners? A. He was an independent contractor. Q. To the extent that you know, did Nick Johnson have a working similar relationship with TigerSwan? Is he also an independent contractor for TigerSwan? A. I don't know. Q. When you brought Nick Johnson on board, what did you tell him about the project? A. I told him about the goal of the project, which was to do social media monitoring, to use social media channels to communicate messages in and around the activities that were focused on the pipeline in Dakota, or the South Dakota pipeline.	6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	A. No. Q. Besides working for TigerSwan, did TigerSwan explain to you their interest or involvement in the Dakota Access Pipeline? A. They explained that they were responsible for doing security. Q. Did they say who they were doing security for? A. No. Q. At any point in time that you were under contract with TigerSwan, was it made were you made aware of any involvement with Energy Transfer Partners, if that makes sense? A. I wasn't made aware of the relationship until there were things in the media. So I didn't know prior to things that were portrayed in the media.

	Page 21		Page 22
1	contract had ended?	1	TigerSwan perform of the work Cedar Fork Partners was
2	A. No. So there were media reports that I	2	doing in furtherance of this contract?
3	that became public. I want to say it was the	3	A. Nick Johnson was on-site with the
4	spring of 2017.	4	TigerSwan team to execute the work.
5	Q. To your knowledge, did you ever meet	5	Q. Do you know what site that was?
6	with anybody representing Energy Transfer Partners in	6	A. The site here in North Carolina.
7	2016 or 2017?	7	Q. TigerSwan's headquarters?
8	A. No.	8	A. Yes, in Apex.
9	Q. Sunoco Pipeline?	9	Q. Did you ever, during the duration of
10	A. No.	10	this contract, come to the understanding about the
11	Q. Sunoco Logistics?	11	scope of working broader than just South Dakota's
12	A. No.	12	pipeline construction?
13	Q. Did you ever facilitate any meeting	13	A. I don't recall it being broader than
14	between Nick Johnson and anybody from TigerSwan?	14	that. I don't know.
15	A. Yes.	15	Q. And more specifically, did you ever
16	Q. Do you remember who he would have met	16	come to have an understanding that the work TigerSwan
17	with at TigerSwan?	17	was looking for included the Mariner 2 pipeline?
18	A. Robert Rice and Sean Sweeney, so these	18	A. No.
19	two individuals, in particular.	19	Q. The Bayou Bridge Pipeline in Louisiana?
20	Q. Did Robert Rice ever represent to you	20	A. No.
21	that he was an employee of TigerSwan?	21	Q. Did Nick Johnson report back to you
22	A. No. He said he was an independent	22	what he was doing when he would go to TigerSwan for
23	contractor.	23	this work?
24	Q. What sort of, if any, supervision did	24	A. In in in not in detail, in
	Page 23		Page 24
1	general in general terms.	1	had conversations around approach on social media and
2	Q. So you said before Nick Johnson was an	2	the things that around strategy there. So it was
3	independent contractor of Cedar Fork Partners?	3	to start the project off. Once it got into
4	A. Yes.	4	execution, then I didn't have very much at all.
5	Q. And that means that you did not direct	5	Q. Early on in the project when you were
6	the content of his work?	6	conveying about strategy and approach, were you
7	A. That's correct.	7	conveying what you understood TigerSwan's wishes or
8	Q. Do you know one way or the other	8	goals to be?
9	whether TigerSwan was directing the sort of work that	9	A. Conveying those wishes and goals to
10	he was producing?	10	Nick?
11	A. I don't know.	11	Q. Yes.
I	Q. Or giving him instructions or feedback?	12	A. Yes.
12		1	
12 13	A. I don't know.	13	 Q. So what was conveyed to you that you
	A. I don't know.Q. I don't mean this as a perjorative, but	13 14	Q. So what was conveyed to you that you then conveyed to Nick?
13			
13 14	Q. I don't mean this as a perjorative, but	14	then conveyed to Nick?
13 14 15	Q. I don't mean this as a perjorative, but is it fair to say that Cedar Fork Partners kind of	14 15	then conveyed to Nick? A. The goal of the project, which was to
13 14 15 16	Q. I don't mean this as a perjorative, but is it fair to say that Cedar Fork Partners kind of acted as a middleman between TigerSwan and Nick	14 15 16	then conveyed to Nick? A. The goal of the project, which was to make sure that a balanced picture of what was
13 14 15 16 17	Q. I don't mean this as a perjorative, but is it fair to say that Cedar Fork Partners kind of acted as a middleman between TigerSwan and Nick Johnson?	14 15 16 17	then conveyed to Nick? A. The goal of the project, which was to make sure that a balanced picture of what was happening around the pipeline was being communicated
13 14 15 16 17 18	Q. I don't mean this as a perjorative, but is it fair to say that Cedar Fork Partners kind of acted as a middleman between TigerSwan and Nick Johnson? A. For the day-to-day activities Nick was	14 15 16 17 18	then conveyed to Nick? A. The goal of the project, which was to make sure that a balanced picture of what was happening around the pipeline was being communicated within social media channels.
13 14 15 16 17 18 19	Q. I don't mean this as a perjorative, but is it fair to say that Cedar Fork Partners kind of acted as a middleman between TigerSwan and Nick Johnson? A. For the day-to-day activities Nick was responsible for placing managing the Facebook	14 15 16 17 18 19	then conveyed to Nick? A. The goal of the project, which was to make sure that a balanced picture of what was happening around the pipeline was being communicated within social media channels. Q. Were you aware of the social media
13 14 15 16 17 18 19 20	Q. I don't mean this as a perjorative, but is it fair to say that Cedar Fork Partners kind of acted as a middleman between TigerSwan and Nick Johnson? A. For the day-to-day activities Nick was responsible for placing managing the Facebook accounts, which he was doing, and managing the	14 15 16 17 18 19 20	then conveyed to Nick? A. The goal of the project, which was to make sure that a balanced picture of what was happening around the pipeline was being communicated within social media channels. Q. Were you aware of the social media specific social media pages that Nick Johnson was
13 14 15 16 17 18 19 20 21	Q. I don't mean this as a perjorative, but is it fair to say that Cedar Fork Partners kind of acted as a middleman between TigerSwan and Nick Johnson? A. For the day-to-day activities Nick was responsible for placing managing the Facebook accounts, which he was doing, and managing the communications. So when it came to that work, yes,	14 15 16 17 18 19 20 21	then conveyed to Nick? A. The goal of the project, which was to make sure that a balanced picture of what was happening around the pipeline was being communicated within social media channels. Q. Were you aware of the social media specific social media pages that Nick Johnson was working on for this project?
13 14 15 16 17 18 19 20 21 22	Q. I don't mean this as a perjorative, but is it fair to say that Cedar Fork Partners kind of acted as a middleman between TigerSwan and Nick Johnson? A. For the day-to-day activities Nick was responsible for placing managing the Facebook accounts, which he was doing, and managing the communications. So when it came to that work, yes, that's that's correct.	14 15 16 17 18 19 20 21 22	then conveyed to Nick? A. The goal of the project, which was to make sure that a balanced picture of what was happening around the pipeline was being communicated within social media channels. Q. Were you aware of the social media specific social media pages that Nick Johnson was working on for this project? A. Some, but not all.

I	Page 25		Page 26
1	A. So there was a Standing Rock page, but	1	A. The conversations were about Nick's
2	I don't remember the name of it specifically. And	2	performance and how he was delivering what their
3	then there was IM Metazin (phonetic), which was	3	expectations were, and Robert was happy with his
4	another property. Those are the two that I know	4	work.
5	about.	5	Q. Was it anything more specific about the
6	Q. Did you know about black badger report	6	type of content he was creating
7	dot com?	7	A. No.
8	A. No.	8	Q or the subject matter of the
9	Q. PA Progress on Facebook?	9	content?
10	A. Not until no. Nick there was a	10	A. Other than other than general
11	communication where Nick said he told me about	11	things, no, no specifics.
12	these pages, but I didn't visit them. So I didn't	12	Q. I'm going to share some documents that
13	know about them until after the fact.	13	your attorney provided to me on the screen.
14	Q. Did TigerSwan ever convey to you that	14	A. Okay.
15	they were looking for this work but specifically for	15	Q. So you can see this?
16	pipelines in Pennsylvania?	16	A. Uh-huh.
17	A. No. TigerSwan did not convey that to	17	Q. Can you still see it? I made it
18	me.	18	smaller.
19	Q. During the term of this contract, did	19	A. Yes, sort of, but I can see it in
20	you have any ongoing discussions with Robert Rice	20	general.
21	about the work that Nick Johnson was doing?	21	Q. I don't have any question on this first
22	A. Yes.	22	page. Actually, while do I this, let me do something
23	Q. Can you relay those conversations to	23	that's probably helpful. I can send this to
24	me?	24	everybody.
	Page 27		Page 28
1	MR. MARKOS: Anthony, just so you know,	1	A. Yes.
2	I put what you gave me into one document. I	2	Q. Invoice. Okay.
3	nut Potos stamps and there was a Social		-
	put Bates stamps and there was a Social	3	This is Nick Johnson's invoice to Cedar
4	Security number that I redacted.	3 4	This is Nick Johnson's invoice to Cedar Fork, right?
4 5			This is Nick Johnson's invoice to Cedar Fork, right? A. Yes.
	Security number that I redacted. MR. TARDOWSKI: That's fine, Chris. MR. MARKOS: Let's take just a	4	This is Nick Johnson's invoice to Cedar Fork, right? A. Yes. Q. Besides what's in the item description,
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	Page 29		Page 30
1	time what ETP meant?	1	A. No.
2	A. That ETP was a client for was the	2	Q. Cat mask?
3	TigerSwan client.	3	A. No.
4	Q. There are a number of similar-appearing	4	Q. This is what appears to be a W9 for
5	invoices. They all have different item descriptions	5	Nick Johnson?
6	and amounts on them.	6	A. Yes.
7	A. Yes.	7	Q. Do you see the date towards the bottom
8	O. These are invoices that Nick Johnson	8	in red?
9	submitted to you for payment	9	A. Yes.
10	A. That's correct.	10	Q. That would be about the time that you
11	Q for the work pursuant to the	11	brought him on as an independent contractor for this
12	TigerSwan contract?	12	contract?
13	A. That's correct.	13	A. That's correct.
14	Q. This is Cedar Fork 3 on the page.	14	Q. Cedar Fork 18, do you see the second
15	A. Uh-huh. Yes.	15	line there's a date of November 4, 2016?
16	Q. And the second, third, fourth and fifth	16	A. Uh-huh.
17	all say: Half of something.	17	
18	Why are these half payments; do you	18	Q. And that's approximatelyA. Yes, that's correct.
19	recall?	19	
	A. I don't remember.	20	•
20		21	with TigerSwan that we're talking about? A. Yes, Yes.
21	Q. Do you recall what the Iowa leaker here		
22	refers to?	22	Q. Cedar Fork 20.
23	A. No.		The second paragraph under number four,
24	Q. Correspondent?	24	I'll make it a little bigger, kind of asked you about
	Page 31		Page 32
1	that before. The company will provide ongoing	1	Rice about the termination of this contract?
2	evaluation and feedback of the services performed by	2	MR. TARDOWSKI: Object to the form.
3	the independent consultant, slash, contractor.	3	BY MR. MARKOS:
4	Do you see where I am?	4	Q. Or the expiration of the contract?
5	A. Yes.	5	A. The way the work was executed was
6	Q. And you said before that Robert Rice	6	month-to-month. So there was an independent
7	conveyed to you that they were satisfied with Nick	7	contractor agreement, and then there were specific
8	Johnson's work?	8	task holders that were month-to-month task holders,
9	A. Yes, that's right.	9	and so, those didn't continue. That's what happened
10	Q. Was there any other ongoing evaluation	10	there.
11	feedback conveyed to you, besides what Robert Rice	11	Q. So this is Cedar Fork 1 and it says:
12	told you about Nick Johnson's work?	12	Task Order/Assignment Sheet.
13	A. No.	13	Do you see at the top?
14	Q. The next paragraph says: The company	14	A. Yes.
15	may, during the term of this agreement, terminate the	15	Q. Did you have additional task orders
16	independent consultants, slash, contractor for cause	16	that were submitted to you by TigerSwan?
17	for any of the following reasons as set forth in	17	A. No.
18	items one through nine below. You said before you	18	Q. Just this one page?
19	didn't have any specific understanding why your	19	A. That's correct.
20	contract ended.	20	Q. Cedar Fork five.
21	Was there any communication made to you	21	Do you know what Momentive is?
22	about the reason for the termination of the contract?	22	
		23	A. Momentive was a company in New York, I believe. If I recall correctly, there was some
	Λ Νο		
23 24	A. No.Q. Did you have any discussion with Robert	24	security work there with that specific company.

	Page 33		Page 34
1	Q. Is Momentive unrelated to TigerSwan and	1	work in his discussions. He thought there might be
2	DAPL?	2	activity that could happen in the future. That's
3	A. It's unrelated to DAPL. I think	3	what I recall from some dialogue that we did have
4	TigerSwan was doing work for them.	4	then.
5	Q. This is Cedar Fork 11. The second item	5	Q. Did you ever communicate with Robert
6	is half of Louisiana trip expenses.	6	Rice by email?
7	Did you have an understanding about any	7	A. Yes.
8	work that was being done in Louisiana or related to	8	Q. How about Nick Johnson?
9	Louisiana pursuant to this TigerSwan contract?	9	A. Not about Nick Johnson.
10	A. There was no work that was being done	10	Q. No. I'm sorry.
11	pursuant to the contract.	11	Did you also communicate with Nick
12	Q. Then why was he paid for it?	12	Johnson by email?
13	A. The one thing I do recall is that Nick	13	A. I communicated with Nick about yes.
14	was doing some investigation in and around that area.	14	Q. I'm talking about what we're talking
15	Q. So when you say "work," it wasn't	15	about today, the TigerSwan contract and work in
16	social media monitoring or digital	16	furtherance thereof.
17	A. No.	17	A. Okay. No. We did not communicate
18	Q content creation?	18	about the TigerSwan work by email. The
19	A. No.	19	communications we had were related to payment and
20	Q. But if he's being paid for it pursuant	20	invoices, primarily.
21	to this invoice, it has some connection to the	21	Q. In relation to this TigerSwan contract,
22	TigerSwan contract?	22	did you ever have discussion with anybody from
23	A. It did not have what I what I	23	TigerSwan or with Nick Johnson about production and
24	remember from that is that Nick was doing some pre	24	video content?
	Page 35		Page 36
1	A. Could you be more specific about the	1	And in the November and December time frame I had two
2	production piece of that?	2	or three meetings where Sean was present where he was
3	Q. Yeah. I mean, I'm trying not to	3	talking about what the goals were.
4	inundate you with information. Let me ask you a	4	Q. And then after that, not much contact?
5	different question.	5	A. No.
6	Did you have an opportunity to read the	6	Q. I think we said it was around
7	Complaint in this case?	7	August '17 that this contract expired.
8	A. Yes.	8	Have you done work for or with
9	Q. And there's a reference to a video that	9	TigerSwan since that time?
10	was produced and posted on a Facebook site with an	10	A. No.
11	actor named Robert Rigby, I think?	11	Q. Have you done any work with Nick
12	A. I don't know who he is but I know of	12	Johnson since that time?
13	the video. I did not I did not know of the video	13	A. No.
14	prior to its creation. I heard about it after the	14	Q. Has he done work for you?
15	fact.	15	A. No.
16	Q. You answered the question I was trying	16	Q. Is there a reason?
17	to ask, so thank you.	17	A. The contract ended and I, at that time,
18	We haven't talked about Sean Sweeney	18	was running Cedar Fork Partners as my primary
19	much.	19	business in that I got another role in another
20	What discussions, if any, did you have	20	company and didn't pursue additional business as a
21	with him about the work that was being done pursuant	21	result of activities. I just couldn't manage.
22	to this contract?	22	Q. So it fair to say then it was just a
23	A. Sean was part of the initial	23	matter of lack of opportunity to continue to work
24	discussions at the period beginning of the execution.	24	together?

	Page 37		Page 38
1	A. Yes.	1	Q. Anybody named Kurt Nous (phonetic)?
2	Q. In the time since late 2016 and today	2	A. No, I didn't.
3	have you reviewed the actual content that Nick	3	Q. Are you familiar with the website PA
4	Johnson created pursuant to this project?	4	Pipeline Review, or blog?
5	A. No.	5	A. No.
6	MR. MARKOS: Give me just a minute.	6	Q. PAL Alliance for Energy, an entity or a
7	I'm going to go on mute. I'm going to caucus	7	website with that name?
8	with my co-counsel and I may have a few more	8	A. No.
9	questions, but I think I'm pretty much	9	Q. Are you familiar with a website called
10	finished.	10	Philly Anti-Capitalists?
11	THE WITNESS: Okay.	11	A. No.
12	****	12	MR. MARKOS: That's all I have. I
13	(Whereupon, a discussion was held off	13	don't know if you're done yet. I don't know
14	the record.)	14	if anybody else has questions for you, but I'm
15	****	15	finished. Thank you.
16	(Whereupon, testimony resumed on the	16	MR. GERBER: This is Chris Gerber. I
17	stenographic record.)	17	have no questions.
18	****	18	MS. DAVIS: I am Jessica Davis. The
19	BY MR. MARKOS:	19	Commonwealth has no questions.
20	Q. Just a couple more questions.	20	MS. KRAMER: This is Elizabeth Kramer,
21	Did you ever have any meeting or	21	counsel for TigerSwan. I just have one
22	contact with somebody name Derrick Borror,	22	question just for clarification.
23	B-O-R-R-O-R?	23	* * * *
24	A. No, I didn't.	24	EXAMINATION
			Page 40
1	****	1	A. That's correct.
2	BY MS. KRAMER:	2	Q. And do you have any knowledge of
3	Q. You looked at a bunch of these	3	conversations between TigerSwan and Energy Transfer
4	invoices. I think they were Bates stamped Cedar Fork	4	Partners?
5	2 through 5 and then it continues at 7 through 17.	5	A. No. I don't have any knowledge of
6	There's subrogations in there that DAPL.	6	those conversations.
7	What is your understanding of what	7	Q. And the contract that we're talking
8	those abbreviated letters stand for?	8	about here, that was specific to the Dakota Access
9	A. The letters as I understand them were	9	Pipeline; correct?
10	Dakota Access Pipeline.	10	A. That's correct.
11	MS. KRAMER: Thank you. That's the	11	Q. And at no time was Cedar Fork Partners
12	only question I had.	12	engaged to do any work related to the Mariner East 2
13	MS. HULL: I just have a few questions.	13	pipeline; correct?
14	****	14	A. That's correct.
15	EXAMINATION	15	Q. Prior to learning of this lawsuit, had
16	****	16	you ever heard of Ellen Gerhard?
17	BY MR. HULL:	17	A. No.
18	Q. Mr. Merriweather, just to confirm, you	18	MS. HULL: That's all I have.
19	never had any conversations with anyone from Energy	19	MR. TARDOWSKI: Is that everybody?
20	Transfer Partners?	20	THE COURT REPORTER: I need to ask each
21	A. That's correct.	21	attorney on the record for any orders.
22	Q. And you also didn't have any	22	Christopher, do you get a full size,
l		23	mini or both?
23	conversation with anyone from Sunoco Pipenne,	43	min or com:
23 24	conversation with anyone from Sunoco Pipeline; correct?	24	MR. MARKOS: Just a mini, please.

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	Page 41	Τ	Page 42
1	MS. KRAMER: I'll get one full size and	1	CERTIFICATION
2	PDF is fine.	2 3	I hereby certify that the proceedings and
3	MS. HULL: I'll take a full size and	4	evidence noted are contained fully and accurately in
4	mini.	5	the stenographic notes taken by me upon the foregoing
5	MS. DAVIS: Full size and mini, please.	6	matter on Thursday, September 2, 2021, and that this
6	MR. GERBER: Full size and mini,	7	is a correct transcript of the testimony given by the
7	please.	8	witness of the same.
8	MR. TARDOWSKI: Kurt, do you have any	9	
9	interest in having a transcript of your	10	
10	deposition?	11	
11	THE WITNESS: Give me a mini.		Susan L. Singlar
12	MR. MARKOS: I want to say thank you to	12	Registered Professional Reporter
13	everybody. We put this together quickly	13	and Notary Public
14	without a lot of notice, so I appreciate	13	My Commission Expires: November 20, 2022
15	everyone's effort.	14	110VCHIUCI 20, 2022
16		15	
17	* * * *	16	(The foregoing certification of this transcript
18		17	does not apply to any reproduction of the same by any
19	(Whereupon, the deposition was	18	means, unless under the direct control and/or
20	concluded at 11:06 a.m. and Kurt Merriweather	19	supervision of the certifying reporter.)
21	was excused.)	20	
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